

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

KEVYN KIRKLAND,

Plaintiff,

v.

Case No. 8:20-cv-1634-TPB-CPT

BDE FLOIRDA LLC,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court on consideration of the report and recommendation of Christopher P. Tuite, United States Magistrate Judge, entered on July 20, 2021. (Doc. 48). Judge Tuite recommends the “Joint Motion for Approval of FLSA Settlement Agreement and Dismissal with Prejudice” (Doc. 38) be granted. No objection to the report and recommendation was filed, and the time to object has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1); *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must “make a de novo determination of those portions of the [report and recommendation] to which an objection is made.” 28 U.S.C. § 636(b)(1)(C). When no objection is filed, a court reviews the report and recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006); *Nettles v. Wainwright*, 677 F.2d 404, 409 (5th Cir. 1982).

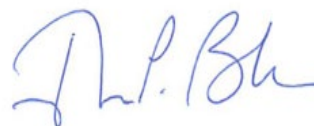
Upon due consideration of the record, including Judge Tuite's report and recommendation, in conjunction with an independent examination of the file, the Court adopts the report and recommendation in all respects. The Court agrees with Judge Tuite's detailed and well-reasoned factual findings and legal conclusions.

Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

1. The report and recommendation (Doc. 48) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
2. The "Joint Motion for Approval of FLSA Settlement Agreement and Dismissal with Prejudice" (Doc. 38) is **GRANTED**.
3. The settlement agreement (Doc. 47-1) is **APPROVED**.
4. This action is **DISMISSED WITH PREJUDICE**.
5. The Clerk is directed to terminate any pending motions and deadlines, and thereafter close this case.

**DONE and ORDERED** in Chambers, in Tampa, Florida, this 13th day of August, 2021.



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**TOM BARBER**  
**UNITED STATES DISTRICT JUDGE**